

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CARRIE BAUER,	§	
STEPHANEY MAYFIELD,	§	
and ELIZABETH SUE	§	
 Plaintiffs,	§	
 v.	§	Civil Action No. 3:21-cv-2250-BH
 RUFE SNOW INVESTMENT, LLC.,	§	
d/b/a IN-N-OUT GYROS and STOP-N-GO	§	
GYROS, and	§	JURY DEMANDED
ZIAD MASSARWA, Individually	§	
 Defendants	§	

PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

TO THE HONORABLE UNITED STATES DISTRICT COURT:

COME NOW Plaintiffs, Carrie Bauer, Stephaney Mayfield, and Elizabeth Sue pursuant to Rule 56 of the Federal Rules of Civil Procedure and moves this Court for summary judgment on the issues of 1). Whether Plaintiff Elizabeth Sue was an exempt employee, and 2). Whether Plaintiffs were entitled to retain all tips paid by customers.

Pursuant to LR 56.3 (b), each matter required by LR 56.3 (a) are addressed in Plaintiffs' Brief in Support of Plaintiffs' Motion for Partial Summary Judgment.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully request that Plaintiffs' Motion for Summary Judgment be granted and that it be determined as a matter of law that Plaintiff Elizabeth Sue was not exempt as an executive employee and that Plaintiffs were entitled to retain all tips paid by customers.

Respectfully submitted:

By: /s/ David G. Langenfeld
David G. Langenfeld
Texas State Bar No 11911325
Leichter Law Firm
1602 East 7th Street
Austin, TX 78702
Email: david@leichterlaw.com

Stephen Le Brocq
Texas State Bar No 24094791
2150 N. Josey Lane, Suite 227
Carrollton, Texas 75006
Email: Stephen @lebrocqhorner.com

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that on November 18, 2022, I filed the foregoing with the Court and that all counsel of record have been served via the Court's electronic case filing system

/s/ David G. Langenfeld
David G. Langenfeld